

The opinion in support of the decision being
entered today is not binding precedent of the Board.

Paper **16**

Filed by: Trial Section Merits Panel

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18 May 2005

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES
(Administrative Patent Judge Sally Gardner Lane)

FAXED

MAY 18 2005

ERIC B. STANTON,
and GEORGE JACKOWSKI

**PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES**

Junior Party,
(Patent 6,461,828),

v.

JEFFREY R. DAHLEN,
GUNARS E. VALKIRS, and KENNETH F. BUECHLER

Senior Party,
(Application 09/835,298).

Patent Interference No. 105,167

Before McKelvey, Senior Administrative Patent Judge, and Lorin and Lane,
Administrative Patent Judges.

Lane, Administrative Patent Judge.

Judgment - Request for Adverse - Bd.R. 127(b)

Stanton has filed a paper requesting that judgment be entered against it. (Paper 113 at 2).

Upon consideration of the record and for reasons given, it is

ORDERED that judgment on priority as to Count 1, the sole count of the interference, is entered against junior party ERIC B. STANTON and GEORGE JACKOWSKI;

FURTHER ORDERED that junior party ERIC B. STANTON and GEORGE JACKOWSKI is not entitled to a patent containing claims 1-5 of patent 6,461,828, which claims correspond to Count 1 (Paper 1 at 5 and Paper 106 at 1) ; and

FURTHER ORDERED that a copy of this judgment shall be given a paper number and entered into the administrative records of Stanton's 6,461,828 patent and Dahlen's 09/835,298 application.

18 May 2005
Alexandria, VA

cc (via facsimile and first class mail):

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